

New York State Green Procurement Program  
Response to Public Comments

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**Proposed Specification for Passenger Vehicles**

**Background:** The proposed new specification for “Passenger Vehicles” was first considered by the Interagency Committee in April 2022 and tentatively approved for public comment. The spec is meant to align with the Climate Act, as well as the New York State Law relating to a phase-out of the sale of fossil fuel vehicles (Chapter 109 of the Laws of 2021) and the U.S. Climate Alliance commitment to ensure all state light-duty vehicles are electric by 2035.

**Commenting Entities:** Sierra Club (Atlantic Chapter), Green Inside and Out, WEACT, New York League of Conservation Voters, Clean and Healthy NY, Environmental Advocates NY

**Comments:** We support the specifications driving State procurement to reduce reliance on fossil-fuel-powered vehicles. We recommend amending the definition of electric vehicles (EV) to read “A vehicle that is exclusively or partially propelled by electricity from an onboard battery pack, external electric power source, or converted to electricity onboard using a hydrogen fuel cell.”

While not directly addressed in this specification, we note that mining for lithium and other minerals for batteries has environmental consequences, and can cause harm to people living in the area of the mine. This includes several Native American Nations. New York should use its purchasing power to promote reuse of battery materials when they no longer function, to return them to battery use, thus reducing demand for new minerals and expanded mining.

**Response:**

The definition in the draft spec is: A vehicle that is exclusively or partially propelled by electricity from an external electric power source or converted to electricity onboard using a hydrogen fuel cell.

Modifying the definition to what is being proposed could result in the inclusion of traditional hybrids that do not plug in and run-on fossil fuel. If it’s partially propelled by electricity from an onboard battery pack, that could be a regular hybrid. The electricity from an external electric power source is stored in an onboard battery pack, but if you leave out the piece about external electric power source then you’re not requiring the vehicle to plug in.

**Recommendation:**

Leave draft spec as is with the current definition unchanged. Separately, the Subcommittee takes note of the comments related to EV batteries as it relates to how the State uses its purchasing power in the future.